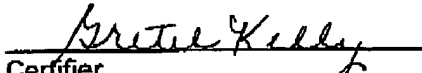


Practitioner's Docket No. 02736-1

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CENTRAL FAX CENTER**PATENT****SEP 21 2005****CERTIFICATE**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office fax number 571.273.8300 on the date shown below.

Gretel Kelly


Certifier

Dated: September 21, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : CARTIER, John L.
Application No. : 09/772,172
Filed : 01/29/2001
For: ICE BREAKER MAT

Examiner : CHANG, Victor S.
Group No.: 1771

Box Responses
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

This is in response to the Office Action dated August 1, 2005 as extended.

In the aforesaid Office Action, the Examiner takes the position that applicant's reply filed on June 29, 2005 was not fully responsive to the prior Office Action because of various limitations that the Examiner considers to be new matter. However, it will be noted that in applicant's response of June 29, 2005, applicant presented detailed argument why the terms in Claim 12 such as "snug", "dark", "entire", "reversible", were not new matter, specifically pointing out the basis in the original specification that supports the language in question. Because applicant does not agree with the unreasonably inflexible position taken by the Examiner on the new matter issue in this case certainly does not make applicant's reply non-responsive. As long as the issues raised by the Examiner are addressed and argued by applicant, the reply is responsive. The fact that the Examiner and applicant may disagree on what is or what is not new matter also does not make